

2003 DRAFTING REQUEST**Bill**Received: **12/05/2002**Received By: **rnelson2**Wanted: **As time permits**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture

Instructions:

\$500 forfeiture for deer killing

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State Crime
/P1	rnelson2 12/12/2002	kgilfoy 12/13/2002	chaskett 12/17/2002		amentkow 12/17/2002		State Crime

12/19/2002 03:31:22 PM

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rnelson2 12/18/2002	kgilfoy 12/18/2002	chaskett 12/19/2002	_____	amentkow 12/19/2002		

FE Sent For:

→ At
Intro.

<END>

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/?				1-12/19 jfc/cph			State Crime

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1-12/18
kmg

1-12/19
cph

12/17/2002 11:25:18 AM

Page 2

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No specific pre topic given

Topic:

29.991(11)

Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture

Instructions:

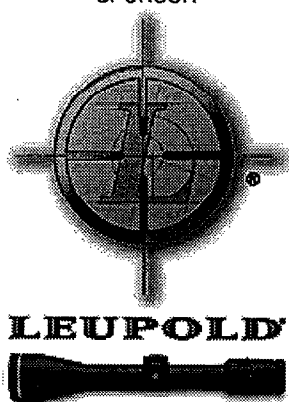
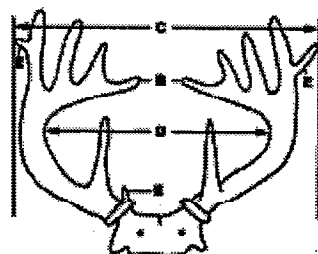
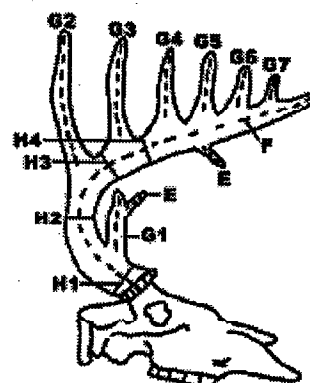
\$500 forfeiture for deer killing

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FE Sent For:		1-12/13 Kmg	1-12/16 cph	5f/cph 12/17 <END>			

**Big Game Records**

Minimum Scores
Trophy Entry Requirements
Scoring Your Trophy
Becoming a Measurer
History - Records Program
World's Records
Sagamore Hill Awards
Records Program FAQ
General Policies

BIG GAME RECORDS
SPONSOR**SCORING YOUR TROPHY**
Typical Whitetail Deer**ON-LINE SCORING STEP ONE - Entering Your Measurements****FIGURE A****FIGURE B****FIGURE C**

All measurements must be made with a 1/4-inch wide flexible steel tape to the nearest 1/8 of an inch. (Note: A flexible steel cable can be used to measure points and main beams fractional figures in eighths, without reduction. For example, if a point measures 7 and 2/8 you would enter 7 2/8 in the space provided.)

KIND OF DEER: ☒ whitetail deer ☐ Coues' whitetail deer

A: NUMBER OF POINTS ON EACH ANTLER

To be counted a point, the projection must be at least one inch long, with the length exclusive of width at one inch or more of length. All points measured from tip of point to nearest edge as illustrated in Figure A. Beam tip is counted as a point, but not measured as a point.

Number of Points on Right

Antler:

Number of Points on Left

Antler: **B: TIP TO TIP SPREAD**

The tip to tip spread is measured between the tips of the main beams.

Tip to Tip Spread: **C: GREATEST SPREAD**

The greatest spread is measured between perpendiculars at a right angle to the center skull at the widest part, whether across main beams or points. See Figure B.

Greatest Spread: **D: INSIDE SPREAD OF MAIN BEAMS**

The inside spread of main beams is measured at a right angle to the center line of the widest point between main beams. See Figure B. Your Spread Credit will be automatic



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1044/P1

RPN: j...
King

D-N

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 AN ACT *relating to:* penalties for hunting deer, including a trophy deer,
2 without a license, granting rule-making authority, and providing penalties.

Analysis by the Legislative Reference Bureau

Under current law, the penalty for hunting a wild whitetail deer without a license, with the aid of artificial light, or with the aid of an aircraft, is a fine of ~~between~~ *to* \$1,000 ~~and~~ \$2,000, or imprisonment of not more than 6 months or both, plus the revocations of any license issued by the Department of Natural Resources (DNR) and DNR's denial of the issuance of any new license to the person for 1 year. *three*

This bill provides that these penalties apply to the hunting of any wild whitetail trophy deer, which is a deer with antlers ~~have~~ a score of 100 or more using the scoring method *established* to be promulgated by the department, by rule. *that is spread,* The bill requires ~~the~~ *department* to promulgate a method for scoring deer antlers based on the method of scoring deer antlers used by the Boone and Crockett Club, which is based on the length and number of ~~the~~ points on the antlers. In addition, the bill provides penalties for the hunting of deer other than a trophy deer without a license, with the aid of artificial light, or with the aid of an aircraft. The penalty is a forfeiture of not more than \$500 plus the revocation of any current license issued by DNR and the denial of ~~the~~ issuance of any new DNR license to the person for 1 year. *one*

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

rules establishing

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 29.971 (11) of the statutes is renumbered 29.971 (11) (b) and amended to read:

29.971 (11) (b) For hunting trophy deer without the required approval, during the closed season, with the aid of artificial light or with the aid of an aircraft, except as provided in s. 29.307 (2), for the snaring of or setting snares for trophy deer, or for the possession or control of a trophy deer carcass in violation of s. 29.055 or 29.347, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both. In addition, the court shall order the revocation of all approvals issued to the person under this chapter and shall prohibit the issuance of any new approval under this chapter to the person for 3 years.

History: 1975 c. 365 ss. 45, 50; 1979 c. 34, 150, 175, 190, 355; 1981 c. 20, 236, 243, 391; 1983 a. 27; 1983 a. 80 s. 9; 1983 a. 114 s. 9; 1983 a. 192, 209, 419, 520, 538; 1985 a. 29, 36, 270, 271, 272, 289, 332; 1987 a. 379; 1989 a. 190, 336; 1991 a. 39, 269; 1993 a. 137; 1995 a. 59, 79; 1997 a. 1, 27; 1997 a. 248 ss. 714 to 722; Stats. 1997 s. 29.971; 1997 a. 283 ss. 20 to 23; 1999 a. 9, 32; 2001 a. 56, 108, 109.

SECTION 2. 29.971 (11) (a) of the statutes is created to read:

29.971 (11) (a) In this subsection, "trophy deer" means a deer whose antlers have a score of 100 or more using the scoring method ^{reestablished} ~~promulgated~~ by the department by rule. The department shall promulgate ^a ~~by~~ rule ^{establishing} a method for scoring deer antlers based on the method of scoring deer antlers used by the Boone and Crockett Club of Missoula, Montana. _{that is}

SECTION 3. 29.971 (11) (c) of the statutes is created to read:

29.971 (11) (c) For hunting deer other than trophy deer without the required approval, during the closed season, with the aid of artificial light or with the aid of an aircraft, except as provided in s. 29.307 (2), for the snaring of or setting snares for

1 deer, or for the possession or control of a deer carcass in violation of s. 29.055 or
2 29.347, by a forfeiture of not more than \$500. In addition, the court shall order the
3 revocation of all approvals issued to the person under this chapter and shall prohibit
4 the issuance of any new approval under this chapter to the person for ~~2~~ year.

5 (END)

one

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1044/P1dn

RPN: /....

kmg

Please review this draft carefully to ensure that it is consistent with your intent.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1044/P1dn
RPN:kmg:cph

December 16, 2002

Please review this draft carefully to ensure that it is consistent with your intent.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Nelson, Robert P.

From: Rep.Musser
Sent: Tuesday, December 17, 2002 2:07 PM
To: Nelson, Robert P.
Subject: LRB-1044/P1 -- changes

Hi, Bob ...

Terry has reviewed the draft of LRB-1044/P1, relating to deer hunting.

He requests:

Page 3, Line 2 ... change "shall" to "may" (to read, "the court may order"...)

Page 3, Line 3... change "shall" to "may" (to read, "under this chapter and may prohibit")

Thanks, Bob!

Kathie @ Rep Musser's Office
6-7461



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1044/P1

RPN:kmg:cph

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *Gen. Cat.* *requiring the exercise* to ~~renumber~~ and amend 29.971 (11); and to create 29.971 (11) (a) and
2 29.971 (11) (c) of the statutes; relating to: penalties for hunting deer, including
3 a trophy deer, without a license, ~~granting~~ rule-making authority, and providing
4 penalties.

only *In addition,*
Analysis by the Legislative Reference Bureau

must deny
Under current law, the penalty for hunting a wild whitetail deer without a license, with the aid of artificial light or with the aid of an aircraft, is a fine of \$1,000 to \$2,000 or imprisonment for not more than six months or both, plus the revocation of any license issued by the Department of Natural Resources (DNR), ~~and DNR's~~ *denial of* the issuance of any new license to the person for three years.

different
possible
This bill provides that these penalties apply to the hunting of any wild whitetail trophy deer, which is a deer with antlers having a score of 100 or more using the scoring method established by DNR by rule. The bill requires DNR to promulgate rules establishing a method for scoring deer antlers based on the method of scoring deer antlers that is used by the Boone and Crockett Club, which is based on the length, spread, and number of points on the antlers. In addition, the bill provides penalties for the hunting of deer other than a trophy deer without a license, with the aid of artificial light or with the aid of an aircraft. The penalty is a forfeiture of not more than \$500 plus the revocation of any current license issued by DNR and ~~the~~ denial of issuance of any new DNR license to the person for one year.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 29.971 (11) of the statutes is renumbered 29.971 (11) (b) and
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5 as provided in s. 29.307 (2), for the snaring of or setting snares for trophy deer, or for
6 the possession or control of a trophy deer carcass in violation of s. 29.055 or 29.347,
7 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not
8 more than 6 months or both. In addition, the court shall order the revocation of all
9 approvals issued to the person under this chapter and shall prohibit the issuance of
10 any new approval under this chapter to the person for 3 years.

11 SECTION 2. 29.971 (11) (a) of the statutes is created to read:

12 29.971 (11) (a) In this subsection, "trophy deer" means a deer whose antlers
13 have a score of 100 or more using the scoring method established by the department
14 by rule. The department shall promulgate a rule establishing a method for scoring
15 deer antlers based on the method of scoring deer antlers that ^{was} used by the Boone
16 and Crockett Club of Missoula, Montana, *on the effective date of this*
paragraph. [reviser inserts date]

17 SECTION 3. 29.971 (11) (c) of the statutes is created to read:

18 29.971 (11) (c) For hunting deer other than trophy deer without the required
19 approval, during the closed season, with the aid of artificial light or with the aid of
20 an aircraft, except as provided in s. 29.307 (2), for the snaring of or setting snares for

1 deer, or for the possession or control of a deer carcass in violation of s. 29.055 or
2 29.347, by a forfeiture of not more than \$500. In addition, the court ~~shall~~^{may} order the
3 revocation of all approvals issued to the person under this chapter and ~~shall~~^{may} prohibit
4 the issuance of any new approval under this chapter to the person for one year.

5 (END)

Emery, Lynn

From: Kolka, Kathie
Sent: Monday, March 03, 2003 3:47 PM
To: LRB.Legal
Subject: (Jacket requested) LRB-1044/1 Topic: Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture

It has been requested by <Kolka, Kathie> that the following draft be jacketed for the ASSEMBLY:

(Jacket requested) LRB-1044/1 Topic: Create separate penalty for illegally killing trophy deer, and lower penalty for killing regular deer to a \$500 forfeiture

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